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Company Avoidance Action Trust

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

--x

In re:

MOTORS LIQUIDATION COMPANY, f/k/a
GENERAL MOTORS CORPORATION, *et al.*,

                                                        Debtors.
--x

MOTORS LIQUIDATION COMPANY AVOIDANCE
ACTION TRUST, by and through the Wilmington Trust
Company, solely in its capacity as Trust Administrator and
Trustee,

                                                        Plaintiff,

                against

JPMORGAN CHASE BANK, N.A., *et al.*,

                                                        Defendants.
--x

Chapter 11

Case No. 09-50026 (MG)
(Jointly Administered)

Adversary Proceeding

Case No. 09-00504 (MG)

NOTICE OF MOTION FOR LEAVE TO APPEAL
PURSUANT TO 28 U.S.C. § 158(a) AND
FEDERAL RULE OF BANKRUPTCY PROCEDURE 8004

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support and the Declaration of Eric B. Fisher, together with the exhibits annexed thereto, Plaintiff Motors Liquidation Company Avoidance Action Trust ("Plaintiff") hereby moves, pursuant to 28 U.S.C. § 158(a) and Federal Rule of Bankruptcy Procedure 8004, for leave to appeal from the *Memorandum Opinion Regarding Fixture Classification and Valuation*, entered by the United States Bankruptcy Court for the Southern District of New York on September 26, 2017 (Bankr. Adv. Pro. Dkt. No. 1015), in the above-captioned adversary proceeding.

In view of the exceptional circumstances and issues presented by this appeal, Plaintiff respectfully requests oral argument in connection with this motion. *See* Fed. R. Bankr. P. 8004(c)(3).

Dated: October 10, 2017
       New York, New York

Respectfully submitted,

BINDER & SCHWARTZ LLP

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